

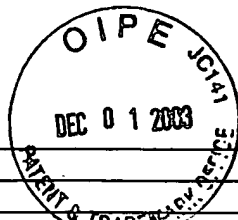
Applicant or Patentee: Susan J. Brauhn et al.

Serial or Patent No.: 10/601,273

Filed or Issued: June 19, 2003

For: TISSUE RECONSTRUCTION AND REGENERATION

ATTORNEY DOCKET NO. 08688-057001



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) — NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: UNIVERSITY OF MASSACHUSETTS

Address of Organization: One Beacon Street, 26th Floor, Boston, MA 02108

Type of Organization:

- ☒ University or Other Institution of Higher Education
☐ Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
☐ Nonprofit Scientific or Educational Under Statute of State of the United States of America
(Name of State: _____) (Citation of Statute: _____)
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in the United States of America
☐ Would qualify as nonprofit scientific or educational under Statute of State of the United States of America if located in the United States of America
(Name of State: _____) (Citation of Statute: _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled TISSUE RECONSTRUCTION AND REGENERATION by inventor(s) SUSAN J. BRAUNHUT, KENNETH A. MARX, TIEAN ZHOU AND ANNE RUGH described in application serial no. 10/601,273, filed June 19, 2003.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: _____

Address: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

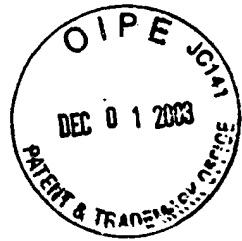
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status when any new rule 53 application is filed or prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name:	Louis J. Petrovic, Ph.D.
Title:	Director of External Funding, Technology Transfer & Partnering
Address:	One University Avenue Lowell, MA 01854-2881

Signature: _____

Date: Nov. 24, 2003



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Susan J. Brauhut et al.

Art Unit : Unknown

Serial No. : 10/601,273

Examiner : Unknown

Filed : June 19, 2003

Title : TISSUE RECONSTRUCTION AND REGENERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION BY THE INVENTOR

As a below-named inventor(s), I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TISSUE RECONSTRUCTION AND REGENERATION

the specification of which was filed on June 19, 2003, as Application Serial No. 10/601,273 and identified as Attorney Docket No. 08688-057001.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 CFR §1.56(a).

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/389,825	June 19, 2002	Expired

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 26, 2003
Date of Deposit

Lisa G. Gray
Signature

Lisa G. Gray
Typed or Printed Name of Person Signing Certificate

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: SUSAN J. BRAUNHUT

Inventor's signature: _____

Date: _____

Residence: Wellesley, Massachusetts

Citizen of: United States

Post Office Address: 47 MacArthur Road, Wellesley, MA 02482

Full name of inventor: KENNETH A. MARX

Inventor's signature: _____

Date: _____

Residence: Francestown, New Hampshire

Citizen of: United States

Post Office Address: 464 Old County Rd. North, Francestown, NH 03043

Full name of inventor: TIEAN ZHOU

Inventor's signature: _____

Date: _____

Residence: Lowell, Massachusetts

Citizen of: China

Post Office Address: 796 Merrimack St., 2nd Fl., Lowell, MA 01854-3532

Full name of inventor: ANNE RUGH

Inventor's signature: _____

Date: _____

Residence: Dover Plains, New York

Citizen of: United States

Post Office Address: 593 Poplar Hill Road, Dover Plains, NY 12522

Applicant : Susan J. Brauhn et al.
Serial No. :
Filed : June 19, 2003
Page : 2 of 2

Attorney's Docket No.: 08688-057001 / UML 02-06

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor: SUSAN J. BRAUNHUT

Inventor's signature: _____

Date: _____

Residence: Wellesley, Massachusetts

Citizen of: United States

Post Office Address: 47 MacArthur Road, Wellesley, MA 02482

Full name of inventor: KENNETH A. MARX

Inventor's signature: _____

Date: _____

Residence: Francestown, New Hampshire

Citizen of: United States

Post Office Address: 464 Old County Rd. North, Francestown, NH 03043

Full name of inventor: TIEAN ZHOU

Inventor's signature: _____

Date: _____

Residence: Lowell, Massachusetts

Citizen of: China

Post Office Address: 796 Merrimack St., 2nd Fl., Lowell, MA 01854-3532

Full name of inventor: ANNE RUGH

Inventor's signature: Anne Rugh

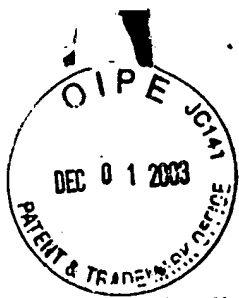
Date: 11/18/03

Residence: Dover Plains, New York

Citizen of: United States

Post Office Address: 593 Poplar Hill Road, Dover Plains, NY 12522

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Susan J. Braunhut et al. Art Unit : Unknown
Serial No. : 10/601,273 Examiner : Unknown
Filed : June 19, 2003
Title : TISSUE RECONSTRUCTION AND REGENERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

POWER OF ATTORNEY BY ASSIGNEE AND ELECTION OF
ASSIGNEE TO CONDUCT PROSECUTION TO EXCLUSION OF INVENTORS

The undersigned, as authorized representative of the assignee of the entire right, title and interest in the above-identified application, hereby appoints

J. PETER FASSE, Registration No. 32,983

HAROLD H. FOX, Registration No. 41,498

TODD E. GARCIA, Registration No. 54,114

as its attorney to prosecute the application and to transact all business in the Patent and Trademark Office connected therewith with full powers of substitution and revocation, said appointment to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 CFR §3.71 *et seq.* of the Patent Office Rules of Practice.

Ownership is in the assignee by virtue of an assignment, a copy of which is attached, and the original of which is being filed with the U.S. Patent & Trademark Office herewith. The documents evidencing ownership have been reviewed and to the best of the assignee's knowledge and belief, title is in the assignee.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

November 26, 2003
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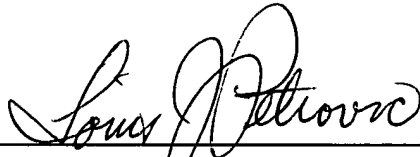
[Signature]
Signature

Lisa G. Gray
Typed or Printed Name of Person Signing Certificate

Applicant : Susan J. Brauhn et al.
Serial No. : 10/601,273
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Page : 2 of 2

Attorney's Docket No.: 08688-057001 / UML 02-06

Please direct all communications regarding the application to **PTO Customer**
Number: 26161, referencing Attorney Docket No. 08688-057001.

Signature:  Nov. 24, 2003
Typed name: Louis J. Petrovic, Ph.D.
Title: Director of External Funding, Technology Transfer & Partnering
Assignee: University of Massachusetts

JPF/mej

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